

Article - Natural Resources

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§5–1612.

(a) (1) The enforcement provisions in this section and § 5–1608 of this subtitle are in lieu of any other provision in this title.

(2) In addition to the enforcement authority granted the Department, the enforcement provisions of this section may be exercised by any local authority that has adopted a forest conservation program, in addition to any enforcement provisions available to the local authority.

(b) The Department or a local authority may revoke an approved forest conservation plan for cause, including violation of conditions of the plan, obtaining a plan approval by misrepresentation, failing to disclose a relevant or material fact, or change in conditions. The Department or a local authority shall notify the violator in writing and provide an opportunity for a hearing.

(c) The Department or a local authority may issue a stop work order against any person who violates any provision of this subtitle or any regulation, order, approved plan, or management agreement.

(d) (1) A person who violates any provision of this subtitle or any regulation, order, plan, or management agreement under this subtitle is liable for a penalty not exceeding \$1,000 which may be recovered in a civil action brought by the Department or a local authority. Each day a violation continues is a separate violation under this subtitle.

(2) The court may issue an injunction requiring the person to cease the violation and take corrective action to restore or reforest an area.

(e) A local authority conducting enforcement activity in accordance with this section or § 5–1608(c) of this subtitle shall give notice to the Department within 15 days after the commencement of the enforcement activity.

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